NATIONAL REVIEW

25 Cents

September 13, 1958

A WEEKLY JOURNAL OF OPINION

A Way Out for the Supreme Court?

L. BRENT BOZELL

The Jury May Be Out Permanently

JOHN F. X. IRVING

Warsaw—Soviet Lie Factory

GEORGE KREMER

Articles and Reviews by · · · · E. v. KUEHNELT-LEDDIHN
RODNEY GILBERT · FRANK S. MEYER · JAMES BURNHAM
EDWARD LANGLEY · MURRAY ROTHBARD · RUSSELL KIRK

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

For the Record

Two months ago the Soviet Union tested world opinion by announcing that six Hungarian students had been hanged for participating in the November revolt and twelve sentenced to long terms. Upon establishing that there was no staying power in the West's revulsion, the Kremlin has ordered the same fate for another 1,000 Hungarians now being tried secretly in Budapest. . . . The Communist-led British Mine Workers union has managed to keep 3,000 Hungarian refugee miners out of the pits. Seven, in discouragement, returned to Hungary. One has been shot, two hanged; the fate of the other four is not known.

Cause and effect? In 1956, Governor Leader of Pennsylvania refused appeals of local law officers for help in keeping the peace in Sharon Valley where a large Westinghouse plant was strikebound. Leader's administration also ruled in favor of the strikers in an unemployment compensation matter. Westinghouse has just announced that its new 2,000-man plant will be built in Indiana (which last year adopted a right-to-work law). . . . The American Federation of Teachers, at its convention in Milwaukee, booed a message from the President. The teachers were annoyed, said their leaders, at Mr. Eisenhower's "spineless surrender" on the issue of a school construction program.

The rumor persists that the Kremlin received the secret codes, mutual defense plans, etc., of the Baghdad Pact nations when the Iraqui rebels took over. . . . The President is making long-range travel plans: to Geneva this fall to talk disarmament with Khrushchev, and to New Delhi later to talk "giveaway" with Nehru, who has let it be known that India needs one billion dollars to ride out its financial crisis.

"We, the People!" will hold its Fourth Annual Constitution Day Convention at Chicago's La Salle Hotel, September 20 and 21. Address inquiries to We, The People!, 111 N. Wabash Ave., Chicago 2, Ill. . . . New York money is being spent freely in Wisconsin and Arizona in an effort to re-elect Senator Proxmire to Joe McCarthy's former Senate seat and to defeat Barry Goldwater in his re-election campaign. . . . A bipartisan attempt will be made to write in the name of James A. Farley for U.S. Senator from New York in November. Republicans are said to be more worried about the move than Democrats.

NATIONAL REVIEW

A WEEKLY JOURNAL OF OPINION

EDITOR: Wm. F. Buckley Jr.

PUBLISHER: William A. Rusher

EDITORS

L. Brent Bozell — James Burnham
John Chamberlain — Whittaker Chambers
Willmoore Kendall — Suzanne La Follette
Frank S. Meyer

PRODUCTION EDITOR: Mabel Wood

WASHINGTON CORRESPONDENT: Sam M. Jones

ASSOCIATES

Priscilla L. Buckley — Jonathan Mitchell
Maureen B. O'Reilly — Morrie Ryskind

CONTRIBUTORS

C. D. Batchelor, John C. Caldwell, Frank Chodorov, John Abbot Clark, Forrest Davis, A. Derso, Max Eastman, Medford Evans, Finis Farr, Karl Hess, John D. Kreuttner, J. B. Matthews, Gerhart Niemeyer, Revilo Oliver, E. Merrill Root, Richard M. Weaver, Frederick D. Wilhelmsen, Gen. Charles A. Willoughby, Garry Wills

FOREIGN CONTRIBUTORS

London: Anthony Lejeune — *Madrid*: J. Dervin
Munich: E. v. Kuehnelt-Leddihn

ASSISTANT TO THE PUBLISHER: J. P. McFadden

CONTENTS SEPTEMBER 13, 1958 VOL. VI, NO. 8

THE WEEK 171

ARTICLES

The Jury May Be Out Permanently — John F. X. Irving 177
Warsaw—Soviet Lie Factory — George Kremer 181

DEPARTMENTS

For the Record 170
National Trends — L. Brent Bozell 175
The Third World War — James Burnham 179
Principles and Heresies — Frank S. Meyer 180
Letter from the Continent — E. v. Kuehnelt-Leddihn 183
From the Academy — Russell Kirk 184
To the Editor 189

BOOKS, ARTS, MANNERS

Whose Opinions on China? — Rodney Gilbert 185
Present-Day Court Historians — Murray N. Rothbard 186
Salute to an Actor, Sir! — Edward Langley 187
Books in Brief 188

NATIONAL REVIEW is published weekly, except for Christmas week, and fortnightly during July and August, by National Weekly, Inc.

Copyrighted 1958 in the U.S.A. by National Weekly, Inc.

Second-class mail privileges authorized at Orange, Conn.

EDITORIAL AND SUBSCRIPTION OFFICES:
150 East 35th St.
New York 16, N.Y.
Telephone ORegon 9-7330

PUBLISHED AT ORANGE, CONN.

RATES: Twenty-five cents a copy, $8.00 a year, $15.00 for two years. Foreign: $10.00 a year; Canada, $9.00 a year. By special arrangement with the Intercollegiate Society of Individualists, Inc., Lafayette Bldg., Philadelphia, NATIONAL REVIEW magazine is available to students and teachers at the special rate of $4.00 a year.

The editors cannot be responsible for unsolicited manuscripts unless return postage, or better, a stamped self-addressed envelope is enclosed. Opinions expressed in signed articles do not necessarily represent the views of the editors.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The WEEK

● Perón, reports the *New York Times'* Juan de Onis, s still a "hero" to Argentine labor, and Peronism :till a lively force in Argentine politics. Argentines vould probably be interested to learn, apropos of that ast, that Peronism—as represented by Reutherism—seems to be thriving in the United States as well.

● Though Labor Day ought logically be rebaptized Middle Class Day (it's the day when everybody from :he President of the Union League Club to the janitor goes on the last big loafing binge of the summer), it will probably go right on being called Labor Day. Well, a custom is a custom, and we suppose that Labor Day will still be celebrated as such even after the last factory has been completely automated. Following the precept of Edmund Burke, that old observances are to be hallowed, we would do nothing to change this. Anyway, this year the President made a rather good speech in fulfillment of his traditional obligation. Not only did he say the usual pleasant things about the American worker's "dignity as a free man working in company with other free men," but he went on to deliver a pointed moral lecture to the Hoffas in our midst. Unfortunately, he said nothing about the right of an individual to make his living without asking permission of a private organization. Mr. Eisenhower *could* have used Labor Day to toss a touchdown pass to Senator Knowland on the right-to-work issue. But he remained discreetly silent on the one really crucial matter on Labor Day, 1958.

● In England last week mobs of men and women ran through the streets yelling "Down with the Niggers." Heaven knows one can take no satisfaction, even derivatively, from so barbaric a spectacle as a race riot. But we take advantage of the temporary stillness in British criticism of life in the Southern states of this country, to note that race riots have not occurred in the post-Reconstruction South; that they tend to occur only in those sections of the country that overestimate their emancipation from ancient prejudices.

● In a move that dismayed his admirers, who have regarded him as the outstanding postwar champion of free trade and free enterprise, Dr. Ludwig Erhard, West Germany's Economics Minister, announced an embargo on further import of coal. The cause is obvious enough: cheap coal (especially from the United States) is still entering West Germany while ten million tons are piled at Ruhr pitheads and Ruhr miners are on shortened work weeks. This is the cause: but though the restrictive remedy of an embargo seems cogent to most political leaders of modern democracies, it is hardly compatible with the philosophy of dynamic economic freedom that Dr. Erhard preached during his tour in this country last winter. Let him glance again at the history of British coal mining during the past generation before he finally commits himself to a policy that is so certain to result in technological obsolescence, higher costs and inflationary pressures.

● According to an article in *Astronautics* by Walter R. Dornberger, chief of Germany's World War II military rocket program and now Technical Assistant to the President of Bell Aircraft Corporation, the German Experimental Rocket Station at Peenemuende projected the following schedule in the conquest of space:

1. Automatic long-range singlestage rockets.
2. Automatic long-range gliders.
3. Manned long-range gliders.
4. Automatic multistage rockets.
5. Manned hypersonic gliders.
6. Unmanned satellites.
7. Manned ferry rockets to satellite orbits.
8. Manned satellites.
9. Automatic space vehicles.
10. Manned space vehicles.

Phase 6 has been reached in predicted order, with phase 7 coming up. Dr. Dornberger believes that the nation first reaching phase 8 (manned satellites) will become world leader.

● In June, the workers (non-union) of McKay Machine Company, a small producer of steel mill equipment, voted to forego for the present a scheduled pay increase. Result? A dramatic increase in July orders (including a million dollar order from Germany), secured because the firm could offer attractive prices, bringing advance bookings to the highest level in two years, with the assurance of plenty of work to keep everyone on the full-time payroll.

● If until recently you had Flown United—you would, like it or not, have flown under the emblem of the United Nations, which had been painted beside the passenger entrance of all United planes. As you boarded, you would have been handed a piece of paper that read in part: "We have done [this] . . . in order to reaffirm our belief in the principles and purposes of the United Nations." If *after* you had Flown United you had written in to the main office to protest, you would in due course have received a letter from a United official saying: "We deeply regret that our action . . . has been interpreted as an endorse-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ment of United Nations . . . United Airlines is not supporting the United Nations as such." And if you hadn't liked *that,* you might have joined Dan Smoot, Clarence Manion, and John T. Flynn in their successful—yes, successful—campaign to persuade United to remove the emblem from its planes, which it has now done. Congratulations are due to those who put on the pressure, and to United for showing the courage to admit to a mistake.

● Gilbert and Sullivan would have had a hard time improving on the opening act of the British-Icelandic fishing bout. It is September 1st, the day on which Iceland has decided her territorial waters will be extended from the traditional four mile limit, to twelve miles. And her entire fleet (six Coast Guard gunboats and two planes) are out patrolling the newly annexed waters. The gunboat *Thor* sights a British trawler, the *Northern Foam,* fishing six miles from shore—and duly captures her. But before the prize can be made fast the British frigate, *H. M. Eastbourne,* arrives on the scene and a boarding party (six deckhands armed with fire axes) recaptures *Northern Foam.* An attempt is made to return the Icelandic tars to the *Thor,* but the Captain of the *Thor* angrily refuses to take them aboard. Notes fly between Reykjavik and Whitehall, and Iceland once again warns that the NATO alliance is in peril. But the threat does not have the desired effect because, alas, since the Icelandic government is already committed to the withdrawal of U.S. forces, and the closing of our air bases, all she has done, in effect, is to threaten to do something she has already threatened to do and left undone. Why not have a United Nations patrol for the area? For that suggestion, we will humbly accept the Nobel Prize.

● Will the *New York Herald Tribune,* under Jock Whitney's financial control, be more like Jock Whitney than it was when it was merely under Jock Whitney's intellectual control? That, for our money, is merely an alternative form of the question, Can Jock Whitney be more like Jock Whitney than Jock Whitney? Our guess on both questions: No. (See "Needed: A Newspaper" below.)

● Is it a crime for the producers of a television quiz program to "fix" it—for example, to coach contestants on answers, feed them questions that are sure to be easy for them, etc.? New York District Attorney Frank Hogan, whose office is investigating charges that many of the major programs *are* fixed, rather thinks it is not a crime—unless there has been a "conspiracy to defraud [of all people!] the sponsors." This, however, begs the question that interests us, namely: Is it a crime to put on a quiz program to begin with?

General Khrushchev, USA

If Nikita Khrushchev were to designate himself Commander-in-Chief of the armed forces of the United States, wouldn't we find it a little difficult to deny him the title? The effective Commander-in-Chief (no matter what a constitution says) is surely the man who can order the troops around. And in the case of our troops, has this not become Premier Khrushchev?

By instructing his agents to start a local civil war Khrushchev's predecessor could command the U.S. armed forces to move to Greece; by sending other agents across the middle of Korea, he could draw our divisions across the world to a distant peninsula. Just so did Khrushchev in July, by provoking Mideastern rebellion, compel U.S. ships and planes and men to shift to Lebanon and the eastern Mediterranean. With equal authority, he then commanded massive units of the U.S. Navy, Army and Air Force to race toward the guns that, by arrangement with his colleague Mao, started firing in the Formosa Straits. Thereby Western strength was diverted from the Middle East, which continues to be the main theater of this phase of the struggle for the world Khrushchev commanded; the Pentagon obeyed.

We do not suggest that these commands of Khrushchev should have been disregarded. For our own survival, we must block a Russian takeover in the Middle East. For our survival, our honor and our repute among the nations of the world, we must prevent Mao from conquering Formosa. But so granting it is still a proof, a most conclusive proof, of defective strategy that our major military operations are invariably decided not by the exercise of our will, but by the enemy's.

This loss of control over our own forces is an unavoidable consequence of the purely defensive policy we persist in pursuing. We renounce any initiative, even any feint, that the enemy might judge threatening. Thus he is left free to dispose of *his* forces as he chooses. By activating portions of them first on one side of the world, then on the other, he causes us to rush back and forth to meet the shuttling danger. He breaks up our strategic deployment and exhausts our energies, as we skip compulsively to his rope.

Eyes on California

Last week Senator William Knowland, leaving the Senate for good, arrived back in California and announced, bluntly, that a) he would not retreat from the position he has taken on the desirability of right-to-work legislation; and b) he expected to win the election. To do the first, Knowland had only to act naturally, which for him is to stand by his con-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ctions; to accomplish the second, he need only work miracle, which, Knowland seems to be saying, he is epared to do, if absolutely necessary though he ɔuld rather win by less flamboyant means.

We propose to follow Senator Knowland's cam-ign with some care in the weeks to come. There are e obvious reasons why a conservative journal of inion should follow anxiously the career of the ıtion's ranking political conservative; but there are her reasons, too, why the Senator's showing in alifornia is a matter of considerable consequence. ɔr the fact of the matter is that the contest is a nsiderable test of the nation's political maturity. ıose who are skeptical about the democratic process ıve consistently assumed that the adept demagogue ill always, or almost always, prevail over the states-an—that in politics as in economics, there is a resham's law that bad politicians drive out good. ccasionally, as in Ohio in 1950, the skeptics are oven very wrong indeed. There, those with faith the democratic process were vouchsafed an ex-larating view of the deep reserves of dignity and riousness that such high-minded men as Robert aft could evoke. But Taft was opposed by a clown, ho could scarcely pronounce his own name without ipping over it. Pat Brown of California is more rmidable. He is not a clown, actually, although his mpaign is a series of antics. But the contrast is ere. Whatever one feels about Knowland's itemized ews, he is a man of stature. He is challenged by a ersonable machine politician, whose program is one total, scientific accommodation to every pressure oup that wields a vote. Is it an exaggeration to say at the outcome of this election is of epochal con-quence?

Caution!

ere and there, in several states, individual Catholic shops, priests, and newspapers are coming out ainst right-to-work legislation. Some of them (not-ly the Bishop of San Diego, California) are arguing at a moral issue is involved: that it is immoral to terfere, as they say right-to-work laws would, with oluntary" associations of workingmen. Others, ex-cising a commendable caution, merely oppose the ws on "prudential" grounds—which means they ıppen to be against the laws, as a matter of public olicy, and want everyone else to be against them too. The Catholics in the first category are making a ievous mistake. We say this not merely because we el that the moral argument points the other way; ıt because the glib and opportunistic use of the oral sanction has the effect of undermining the ıthority of religious institutions in matters over which they have legitimate authority. A great many Catholic bishops whose parishioners are heavily unionized and militantly aligned against right-to-work legislation feel keenly the pressure to oblige their flock. But they should bear in mind that theirs is not a political constituency; that the moment a bishop succumbs to the temptation of vesting transient passions with moral meaning, he forwards the secularist compulsion to submit to majority rule on questions over which the majority has nothing conclusive to say. It is not too strong a thing to say that the impetuous use of the moral sanction is sacrilegious.

South of the Border: Red-Hot

The curve of Communist activity in Latin America continues the steep climb that began last January, after the overthrow of the Venezuelan dictator, Pérez Jiménez, and won (but soon lost) world attention through the spring riots against Vice President Nixon. In August the Chilean Congress repealed, over the veto of President Carlos Ibañez del Campo, the 1947 electoral law that had outlawed the local Communist Party.

The Communists have sprung back to open public life with a speed that proves the solidity of their underground organization during the eleven illegal years. They have already won two big labor union elections, in the U.S.-owned utility combine and in a steel company of joint U.S.-Chilean ownership. They entered the September 8 Presidential election with a combination of violence, mass demonstrations and door-to-door visits in favor of Salvador Allende, former student leader, physician and nominal socialist: in short, Chile's version of the universal Popular Front candidate.

Much closer to our strategic nerve centers, Mexico's Communists, who have for some years been enjoying a contented life of domestic coexistence under the benign regime of Mexico's official Revolutionary Party (PRI), have unexpectedly, and ungratefully, taken to the streets. In recent months they have provoked violent labor actions through the petroleum and railway workers unions, and have more lately been leading mobs of Mexico City students in bloody riots against a minute rise in the heavily subsidized tram and bus fares. Outgoing President Adolfo Ruiz Cortines has warned against "incitements that individuals or groups foreign to the national interests are exerting to make the laborers abandon their responsible conduct."

So far, the only official U.S. proposal for dealing with this rising southern storm was Mr. Nixon's homecoming recommendation: to show the Latin American "people" that we are against dictatorship.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Needed: A Newspaper

It's official. John Hay Whitney owns the *New York Herald Tribune*.

Why?

It is widely rumored that Mr. Whitney, having tasted political power, has developed a ravenous appetite for it, and reasons that acquisition of one of the nation's most strategically situated dailies is as good a way as any to put a few million dollars to work. We tend to doubt this theory. Actually, it works the other way around. It is unseemly if one owns a paper to use it as a means of getting personal publicity (ever see a *Time*cover of Luce?). And John Whitney doesn't need to own papers, to get in them. He can get publicity pretty much for the asking, as Nelson Rockefeller can.

It is more likely that Mr. Whitney and the whole crowd around the *Herald Tribune* have actually talked themselves into believing that saving the *Tribune* is an act of civic virtue. Why? Because, as everyone connected with the *Tribune* is constantly reminding us, the *Tribune* is a "great" paper, with a "great" past, and a "great" tradition. We buy the last two, but wonder about the first. What, in point of fact, would New Yorkers be deprived of if the *Herald Tribune* woke up one morning, dead? Some first-rate columnists, but they would quickly be picked up by other New York dailies. What else? The *Tribune's* news coverage is not one-tenth as complete as the *Times'*. The features are attractive, but hardly the kind of thing one makes heroic sacrifices to save. What then? The editorial voice? There is an imperceptible difference between the *Tribune's* position on just about everything, and the *Times'*. The rhetoric is a little more lively, but whoever said lively language commends itself to our solemn representative at the Court of St. James's? Whatever nugatory differences there were (*e.g.*, emphasis on the racial issue) began to disappear when Mr. Whitney first began to exercise influence.

The point, of course, is that the *Herald Tribune*, as the organ of New Dynamic Progressive Republicanism, is simply one more Liberal newspaper. It isn't nearly as useful as the *Times*, and has no distinctive role whatever to play; indeed, is hardly worth saving unless the savior thinks he can turn the thing into a hot commercial property (an unrealistic assumption). What New York needs (and what Washington needs) is a first-class conservative daily that will compete with the *Times* (or with the Washington *Post* and *Times-Herald*) in news coverage. Such a paper as that, edited with a firm and imaginative hand, with intelligence, with a deep admiration for American tradition, and a high sense of the urgency of the crisis and the bankruptcy of the Liberal solution—such a paper would deserve millions from t millionaires, for it would stand a real chance f greatness.

R. I. P.

Last month two of the world's leading nuclear phy cists died. In their scientific research these two we alike brilliant and successful, both of them to numbered among the small vanguard that unlock the gate into mankind's awesome nuclear future. the values that give their lives human meaning, t two were polar opposites.

Ernest O. Lawrence was the inventor of the cycl tron, the basic instrument that disclosed the inn structure of the atom, and director of the worl greatest center of nuclear science: the Radiati Laboratory at the Berkeley campus of the Universi of California. Although the major scientific awards including the Nobel Prize and the Fermi Award—b came his inevitable due, Lawrence never sought n found public notoriety. His life was formed within t traditional norms of family, work, community a country. He did not set himself up as lofty precept to mankind, but shared willingly the common li of the true citizen: as the exemplary husband a father; the diligent and cheerful worker; the loy colleague; the passionate patriot. By one of tho coincidences that have become so common a ru of our time, Lawrence was sitting as the firmest an Communist delegate in the Geneva conference detecting nuclear tests—the one delegate who mig have refused to sign the final document—when t ulcerative attack came that led a few days later his death, at 57.

Frédéric Joliot-Curie married Irène Curie, daug ter of the discoverers of radium, herself an able phy cist. He too won the Nobel Prize, for the first demo stration that radioactive substances could be ar ficially produced in the laboratory. And he won al in 1950, for services rendered, the Stalin Peace Priz Joliot-Curie was not content to be a man among oth men, obedient to God and the traditional values his race and land. He was swept from his moorin by that inordinate pride, that hubris which in o day has victimized so many brilliant scientis "Emancipated" from the "prejudices" of ordina men—that is, running berserk in a metaphysical vo —Joliot-Curie became Superman, deluding hims with the idea of "a higher duty" to History and Ma kind-in-the-abstract. He degenerated into a traitor to his country and to the very scientific method th had been his launching pad. His name covered t Soviet slave camps, the shameless lies of Sovi pseudo-biology, the Korean germ warfare charge

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In 1950, because of his Communist tie, he was dismissed from his post as chief of the French Atomic Energy project. In spite of the Communist sabotage of the French armies and the open revelations of Stalin's crimes, in spite of Hungary, Joliot-Curie—with the mad pride of the monster-scientist of a horror movie—hardened in his false witness, and died a member of the Central Committee of the French section of the Communist world conspiracy.

Notes and Asides

With considerable pride we announce that Mr. Finis Farr will henceforward appear on the masthead of NATIONAL REVIEW as a "Contributor." Mr. Farr, a Princeton graduate, is a free lance radio, television and magazine writer. He is a veteran of the war in the South Pacific, and of six years with the Central Intelligence Agency (from both of which he emerged unscathed). A year ago he wrote a piece on Father Hugh Halton—"Princeton and the Priest"—which sold over 40,000 reprints. At the present moment Mr. Farr is at work on two pieces for NATIONAL REVIEW. One will deal with mental health programs, the other with the Newspaper Guild.

Our Contributors: JOHN F. X. IRVING ("The Jury May Be Out Permanently") is an attorney who has written for several periodicals. In addition to his own practice, he serves as law secretary for Judge Joseph L. Smith of the New Jersey Superior Court. GEORGE KREMER ("Warsaw—Soviet Lie Factory") is the pen name of a European news analyst who will be remembered for his article on Soviet influence in France (June 14, 1958). EDWARD LANGLEY ("Salute to an Actor, Sir!") is a professional actor as well as a writer who specializes in radio scripts.

National Trends

A Way Out for the Supreme Court?

L. BRENT BOZELL

For the Supreme Court, it was an ominous fortnight.

—Forty-one Senators—only eight short of a majority—voted for the Jenner-Butler bill which sought to withdraw the Court's jurisdiction in one area, and reverse its decisions in several others. Senator Bridges' bill, a more limited measure directed only at the *Nelson* decision, failed by a single vote. And that vote, along with several others, was concededly attributable to the power of the majority leader to dispense favors and punishments. A year ago, any suggestion that anti-Court sentiment in Congress would reach such proportions would have been dismissed as visionary.

—The Chief Judges of the state supreme courts, in convention assembled, issued a thundering manifesto against their brethren on the High Court. By an overwhelming vote—36-8—the Chief Judges accused the Court of jeopardizing the national "boast" that "we have a government of laws, not of men." "The Supreme Court too often," they said, "has tended to adopt the role of policy-maker without proper judicial restraint." The Chief Judges' action was unprecedented; and it left in singular disrepair the favorite ploy of the Supreme Court's defenders: the argument that criticism of the Court amounts to an attack on the principle of an independent judiciary.

—Finally, Little Rock. It mattered little whether the Supreme Court reinstated Judge Lemley's order postponing integration at Central High, or failed to do so. Whatever the Court's ruling on Little Rock, the political torrents loosed on the nation four years ago were sure to be raging more violently after the ruling than before it. And this brought home a hard truth that even the Liberal press betrayed hints of understanding: the task of resolving a momentous political crisis of the deepest complexity had been assumed by the branch of government least equipped to handle it—by nine men, who were responsible to no one, who possessed no independent power, whose qualifications for the job were a putative ability to decide law cases.

On the surface, the Court was still riding high. But the signs—epitomized by the casual opinion of the nation's most reliable political barometer (Ike) that integration should go "slower"—indicated that its adventures in policy-making were catching up with it. The nation was becoming dissatisfied. While the Court was still a long way from the low estate it occupied in Lincoln's time, its fortunes were moving in that direction. If the slide was to be halted, the Court would have to show the way.

Has Retrenchment Started?

The way out, in general, is clear enough. The Court can begin to exercise judicial restraint. In future cases, it can pay greater heed to constitutions and laws and precedents, less to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

its own policy preferences. Indeed, there are signs—notably in the sustaining of state labor laws—that retrenchment may already be under way.

The school integration issue, however, is another story. For here the problem for the Court is not how to decide future cases better, but how to avoid deciding them at all. The solution is not to start handing down "legal" judgments instead of "political" ones, but to withdraw from a field in which no judgments are possible *except* political ones. The questions in the school crisis are these: Should one part of the nation forcibly impose its social judgments, which it believes to be supported by law, on another part? At what price? How? When? Or, if you prefer, slice it the way Chief Justice Warren did last week: "Can we defer [integration] merely because there are those elements in the community that would commit violence to prevent it from going into effect?" These questions, all of them, are self-evidently *political* questions—the kind our system of government presupposes will be handled by the legislative and executive branches, and which the judiciary will get into only at its own, and the nation's, very great peril.

The School Crisis

Judicial disengagement, then, is the first requirement for solution of the school crisis.

The place to start, arguably, is where judicial intervention started—with the Court's 1954 decision outlawing segregated schools. That decision was not a faithful interpretation of the Constitution as the document was conceived by its framers, but rested entirely on the justices' views of correct social policy. The Chief Justice's opinion (". . . we cannot turn the clock back") conceded as much. Apologists for the decision within the legal profession generally grant the point more forthrightly: the authors of the Fourteenth Amendment did not intend to withdraw public education from the realm of state power.

The *Brown* case, however, is not where disengagement *will* begin. Any idea of the Court reversing *Brown*, for the present at least, is wholly romantic. Even if the justices were of a mind to recant, too many powerful forces are too fully committed to the principle of the ruling to justify hopes for reconsideration. This is not to say that critics of the decision should cease their efforts to obtain a reversal, or relinquish hope of succeeding over the long pull; only that they must settle for less at present.

But supporters of the *Brown* decision should also keep in touch with reality. The chances of general enforcement of school integration in the South are, for the foreseeable future, nil. "Massive resistance" through state legislation may well be torpedoed in the law courts in the next few years. But it is clear, in the deep South at any rate, that the psychological momentum already established will lead to violence if the legislation fails and the integrators remain adamant. For this reason, a national imperative dictates a far slower and more flexible program of integration than was originally envisioned. This does not mean that the social engineers must give up their goal of engrafting mandatory school integration onto the Constitution; only that they must permit implementation of the victory to be adjusted to political possibilities.

Who should determine the political possibilities? *That* is the key question —but not, Heaven knows, one that is difficult to answer. Logic and experience and our constitutional scheme—any authority you like—prescribe the nation's *political* departments: Congress, the executive branch and the state legislatures should be called in for the job. And the courts of law should get back to the business of law.

Is the transfer of responsibility feasible? Concretely: can the Supreme Court and the Judiciary, at this late date, get off the hook? Here the distinction must be recalled between the *Brown* decision of 1954 and the Court's implementing decree of 1955. In 1954 the Court declared that the Fourteenth Amendment prohibited compulsory segregation in public schools, and then asked both sides in the several cases to advise it, after further study, how to enforce the new law of the land. A year later, the Court directed the Federal District Courts to work out plans for compliance, and to do so "with all deliberate speed." It is that order that established the Federal Judiciary as the Grand Superintendent of the school integration program. And it is that order that the Supreme Court might be persuaded to reconsider.

A Wiser Course

A wiser course for the Court, it seems in retrospect, would have been to defer indefinitely any decrees in the cases before it while simultaneously calling attention to Section V of the Fourteenth Amendment: *"The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."* It might also have expressly reminded the states of their obligation to enforce the Constitution. Such a ruling would not have barred future appeals by the *Brown* plaintiffs, or prevented the NAACP from bringing new cases to court to test the propriety of legislative action (or lack of it); but it would have given prime responsibility for the integration program, *and thus leadership of it,* to the political departments. (True, in the Civil Rights Cases of 1883 the Supreme Court sharply restricted Congress' power to implement the Fourteenth Amendment; but by indicating in the *Brown* opinion a disposition to overrule those cases it could have given Congress the green light.)

The Court should be petitioned to adopt such a course today. If the objection is that, left in Congress' hands, the integration program would be subjected to endless wrangling, filibuster and sectional compromise, the answer is: not necessarily "endless." No more than the four score and seven years debate over federal enforcement of Negro voting rights under the Fifteenth Amendment proved endless. Let integrationists be content that the fundamental law principle of equality is there for all to see; and be patient. Let them remember that while the American system of government has indeed, with the Civil War exception, proved a match for the strains and tensions that tear at great, heterogeneous nations, it has triumphed over them only through the subtle, magical workings of its political processes.

(Reprints of this article are available at 15 cents each, 100 for $10.00. Address Department R, NATIONAL REVIEW, *150 East 35th St., New York 16, N.Y.)*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Jury May Be Out Permanently

One of our principal safeguards of justice is the historic right to trial by jury. Today, says the author, widespread resistance to jury duty delays the courts and is bringing the system under attack

JOHN F. X. IRVING

You can blame it on such people as the young mother from Bedford, Indiana. As a member of a jury panel recently, she voted to convict a man of rape although she believed him innocent. She voted against her own judgment, she said, because, "I knew I had those children at home and we would never get out of there if we tried to argue it out with the others." The man was sentenced to life imprisonment.

And you can blame it on jurors like the man who, a short time ago, awoke one morning late for courtroom duty and therefore went to his regular job instead. The judge, lawyers, witnesses and other jurors sat till 3 o'clock that afternoon waiting for a court attendant to bring him back.

Large corporations, too, must in some instances share part of the blame—those which constantly ask that their employees be excused from jury duty, asserting that their work is essential for national defense. One judge, David A. Nimmo of the New Jersey Superior Court, thinks such corporations should be held in contempt. "They are the first to wave the flag of patriotism," he said, "and the first to complain when our courts need men and women for jury duty."

As a result of this indifference and interference, the right to trial by jury is coming under sharp attack. Professor Charles Newman of Florida State University, in a *Law Journal* article, has called it "an outmoded relic of the thirteenth century and not appropriate for the present day administration of justice."

If some jurists have their way, trial by jury will be abolished in civil cases. They have already asked for it on an experimental basis. Your guilt or innocence, then, will be decided by a single judge.

This would be unfortunate if only because a Gallup Poll taken at the end of 1957 revealed that Americans would prefer—by a three to one margin—to be tried by jury if suddenly confronted with a civil action or accused of a minor crime.

Time and Trouble

There is no doubt that jury trials are time-consuming and clutter the court calendar. In New York it takes three years or more for some cases to come to trial. By that time, parties may have died, witnesses moved away, and the actual facts begun to fade from everyone's mind. Justice is nothing if it is not swift.

One reason for the delay is the length of time required to seat a qualified jury. It took the famous Brink's robbery case in Boston fourteen days to get started. Before it did, 1,300 prospective jurors were called, then disqualified.

In Paterson, New Jersey, the shortage of jurors for a recent highly publicized case was so acute that the sheriff was directed to go out into the streets and bring in people to serve. One of the first men he stopped proved to be a foreign delegate to the UN who was quietly touring the town. He didn't qualify.

The sheriff spotted another man on the crowded streets who was carrying a satchel and seemed a more likely prospect. The man occasionally threw a nervous glance over his shoulder and when he realized he was being followed, walked faster. The sheriff remained in hot pursuit. The man broke into a trot; the sheriff kept getting closer. Finally, the man shot around a corner and up a flight of stairs into Police Headquarters. There the sheriff thought he had him. But he was wrong.

The company's payroll was in the satchel, the man explained, and he had mistaken the sheriff for a thief. Yes, he would be glad to serve on a jury. But he lived outside the county and was also disqualified.

Another problem raised by critics is that many qualified adults are excused. Generally, judges, clerks, sheriffs, jailers, ministers, priests, county officials, attorneys, doctors, postmasters and mailmen, pharmacists, licensed embalmers, members of the state militia, firemen and those who have served within the previous year, are exempt. In New York City, teachers and supervisors are exempt until September, 1959.

As one author suggested, "Add to that those who are excused by illness or political pull, and what have you

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

left?" What's left will serve as a so-called jury of your equals.

In England today, most civil cases are tried without a jury, and that is clearly the tendency in our own country. Actually, the fault may not be so much with the system as with a very small number of the potential jurors who compose it. Educating the public to the need of conscientious discharge of jury duty would eliminate many of the current difficulties. The jury system is well worth trying to save, for it has proved to be the most satisfactory form of civil justice known, and no comparable substitute has yet been offered. Chesterton said of it, "I would trust twelve ordinary men, but I cannot trust one ordinary man."

Abolish trial by jury and you will have a facsimile of present-day workmen's compensation hearings, where a referee alone hears the testimony and renders his decision. Caroline Simon, a New York attorney, wrote of such hearings:

> Having served as a member of the Workmen's Compensation Board for fourteen months, hearing appeals from decisions of referees, I know what such administrative and quasi-judicial proceedings involve. Many lawyers, judges and citizens say that referee decisions are unfair to plaintiff and defendant.

An objective reaction to the jury system is difficult, since most of us hear only of the unusual or sensational quirks that occasionally occur. The loyal men and women who stream into courthouses all over the country day after day to serve as jurors get no publicity. These are the overwhelming majority and are the unsung heroes of our judicial system. Many times they incur personal inconvenience as well as monetary loss, and, as lawyers know, it not infrequently happens that a jury deliberates until the early hours of the morning when its critics are not around to watch.

In smaller communities, there is today no pressing backlog of cases and the jury system is working smoothly. Part of the problem in metropolitan areas is that the courts have remained static in number although the population they serve has grown by leaps and bounds. The solution, then, would seem to be to establish more courts and impanel more juries. You don't abolish the railroads simply because the traffic gets too heavy; you add more cars and more runs.

Who's Qualified?

The other problem raised—that those most qualified to serve are excused—is also not quite so real as it seems. The jury is the sole trier of the facts—it is to evaluate conflicting testimony and decide what an ordinary man would reasonably be expected to do in a given set of circumstances. Who is better qualified to decide these things than twelve ordinary men and women who in their own spheres are daily called upon to evaluate the truth of what their sons, daughters, business contacts and neighbors tell them? Haven't they learned that the demeanor, appearance and forthrightness of a human being, whether he is a witness or not, often betrays the truth or falsity of his utterances? Is the mailman or fireman or the others who are excused better qualified to determine such matters?

That is the only function of the jury. Once they determine the facts, they must apply the law which the court gives them. In a real sense they are experts in the task before them—detecting truth and evaluating reasonable conduct.

Before trial by jury was introduced in Anglo-Saxon jurisprudence, justice was a frightening thing. Aborigines at first had the right literally to take an eye for an eye. Later came the well-known "trial by ordeal." The Norman kings introduced trial by battle, resembling the duel of honor still known in Europe today. Finally, in the eleventh century, Henry II bestowed on his subjects the right to trial by jury. Of course, it differed radically from that of today.

When a breach of peace occurred in any part of the realm, the king would send messengers to round up twelve knights from that troubled district. They in turn swore they knew the facts—a man was supposed to know his neighbor's business—and they were not expected to be impartial. The accused agreed to submit to the truthful report of these men—to their *vere-dict*. When judges, representing the king, were ready to leave a town after holding court, they did not have to wait for a jury that couldn't agree. Those twelve knights were unceremoniously locked in a horse-drawn cart and dragged along from town to town until they thought alike.

Blackstone wrote of other methods used to induce agreement among jurors:

> The jury, after proofs are summed up, withdraw from the bar to consider of their verdict and in order to avoid intemperance and causeless delay, are to be kept without meat, drink, fire or candle, unless by permission of the judge, till they are all unanimously agreed. A method of accelerating unanimity not wholly unknown in other constitutions of Europe.

Later, when grand juries came into existence, the ordinary juryman had something more to worry about. The grand jury reviewed the decisions of the small, or petit, jury. If a verdict was found to be false, penalties were imposed on the erring jurymen. They lost their status as free men and became forever infamous. They were imprisoned, their goods confiscated, their wives and children thrown out of doors, their houses razed, their trees extirpated and their fields plowed under. The inconveniences of jury duty of which some complain today are shamefully minor by comparison.

The right to trial by jury soon became an integral part of English justice. It was inserted in the Magna Charta in 1215 as a cherished right to be forever protected, and it was prominently listed in our own Declaration of Independence as one of the rights violated by the British Crown.

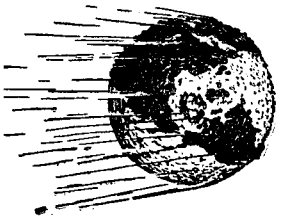
They'll Serve Again

Today, there is no danger involved in serving on a jury, and polls show that 80 per cent of those who have served as jurors and lost no income thereby, would like to do so a second time. Even of those who have suffered loss of income, 48 per cent would nonetheless be happy to serve again.

Recent experiments, conducted by the University of Chicago Law School, in which a civil case was presented to over fifty juries in moot trials, have demonstrated once more the value of the jury system. The results showed considerably less

(*Continued on page* 190)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



The THIRD WORLD WAR

JAMES BURNHAM

Nuclear Madness

Congress was sensible to cancel research into the problem of how to surrender in the nuclear age. It would be a waste of money. The Administration has proved that it will be able to carry through the surrender of the United States without any further lessons. Any past doubts on this point have been removed by the President's capitulation to Khrushchev on the issue of banning nuclear tests. It takes real mastery of the art of surrender to throw away your best weapons in advance.

There should be no surprise, of course, at this most recent lurch in the long retreat. For more than a year the columns of NATIONAL REVIEW have posted the directional signs. The decisive encounter was fought over the reappointment of Admiral Lewis Strauss to the Atomic Energy Commission. When that was won by the forces of appeasement, responding puppet-like to the strings pulled by the Kremlin, there was nothing much left to slow the downhill march.

Poor John McCone and his friends just couldn't comprehend that he was named as Strauss' successor only to serve as an honest-faced front man for the triumphant appeasers. (Several of his friends protested bitterly against the "unfair" NATIONAL REVIEW editorial that commented on the meaning of his appointment.) No one peeped when an American delegation was sent to Geneva for "purely technical" discussions on an inspection system for policing nuclear explosions. No one except NATIONAL REVIEW bothered about Edward Teller's exclusion from the delegation, or Robert Oppenheimer's appearance in Geneva as the conference opened.

Who Says A, Must Say B

It is all as logical as a theorem in Euclid. *Of course* the Soviet scientists at Geneva were charmingly cooperative, and agreed 100 per cent to an inspection system. That's what Khrushchev had sent them for, and he had assigned an MVD official (Tsarapkin) to the delegation, just to make quite sure that science didn't interfere with politics. *Of course* Edward Teller resigned from the General Advisory Committee of the AEC. What sense does it make for Teller to be part of an apparatus run by the friends of Oppenheimer? *Of course,* after the "success" of the Geneva meeting, President Eisenhower announced United States willingness to suspend nuclear tests. Hadn't the President all along said that the only obstacle to suspension was doubt about Soviet "sincerity"? The delegates at Geneva had been sincerity itself.

Department of Public Relations

The President's decision was made on the urging of the State Department, against the firm opposition of the AEC and the desperate opposition of the Pentagon. The lineup is surely instructive. The Pentagon speaks for the citizens professionally charged with the duty of defending—by their lives—the security of the nation. It is these men and their leaders who say in substance, by their opposition, that they cannot fulfill their duty if nuclear tests are banned. To the AEC are allotted the tasks of perfecting the weapons that the defenders require and of developing the peaceful uses of nuclear energy upon which the nation's technological and economic future will depend. The AEC declares, by its opposition, that it cannot perform these tasks if nuclear tests are banned in accordance with the President's policy of nuclear surrender.

The President accepted the State Department's views, then, and rejected the warnings, appeals and predictions of the country's primary defenders. But where did the State Department's view come from? How had the Department come to feel that the United States "must" agree to the Kremlin's proposal?

The State Department is manned by verbalists and intellectuals, not by fighters. Interpreting its mission by the reigning ideals of Public Relations, the Department seeks to be "sensitive" to world opinion, to avoid giving offense, and to "build good will" toward the United States. A big advertiser, shunning the "controversial," drops a performer or a theme if there are sharp objections—even if these spring, as they usually do, from a noisy minority. Just so the State Department: when a U.S. policy is "controversial," when loud objections are voiced to it, don't risk losing good will; drop it for something inoffensive.

The Indians, Ghanese, and the European Left disapprove of segregated schools and segregated military units? We must integrate at once then, at whatever cost to education and military discipline. Tito and Gomulka don't like anti-Communist broadcasts? Note, please, Voice of America, and cut anti-Communism off your schedules. Nuclear tests are getting a bad press, and have lost us the good will of Nehru, Jean-Paul Sartre and Bertrand Russell (not to speak of Linus Pauling and Norman Cousins)? Stop the tests, boys. What's a superior weapons system compared to a flattering headline in the *Manchester Guardian, Le Monde* or *Yomiuri*?

Political scientists have understood for some while that in a modern mass democracy, responsible policy is often sacrificed to the irrational pressures of domestic public opinion. The Eisenhower Administration is the first government of any great nation under which responsible policy is regularly sacrificed to external public opinion.

Until the negotiations now scheduled to start October 31 are completed, the terms of the American nuclear surrender are not quite final.

Has not the time come—in these few weeks before the surrender contract is signed, sealed and delivered—for Admiral Lewis Strauss to resign from the White House job that was thrown to him as a sop, and to tell his countrymen the exact, full truth?

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Principles and Heresies

FRANK S. MEYER

What Time Is It?

What time is it, and where are we?

Agreement on the answer to these questions would go far toward overcoming many of the differences that divide and perturb conservatives. Concerned with what he feels to be a negative and defeatist tone and attitude, a close friend of NATIONAL REVIEW, and a contributor to its columns, has written to us urging a more constructive approach toward the Liberals. Primarily he objects to our root-and-branch attack upon the Liberal Establishment as representative of a consistent and homogeneous power. "Liberals," he maintains, "are by no means of one mind on everything." Further, "Conservatives have not yet developed an identifiable position." Still further, the fact that "we are not in a civil war situation with the Liberals" attests that "we still do share certain values with them."

Therefore, rather than categorize, expose and castigate the Liberal Establishment in the spirit of radical opposition, our task should be to proceed upon the basis of the values we share in common with the Liberals and "strive for model ways of translating those values into policy."

I have the greatest of respect for the ability and integrity of the writer, but I find myself in disagreement with his analysis. It seems to me that the natural desire, which he shares with all conservatives, to avoid the exacerbation of abstract ideological differences and to preserve the fiber of society, has caused him to see in the signs of our times far too optimistic auspices.

It is true that we are not in a state of civil war with the Liberals. (We are not, that is, if we ignore our soldiers dead to no end in Korea because of Liberal policies, the picket-line violence of Liberal-supported union tyranny, or the victims of juvenile criminals, taught by a Liberal educational system to exalt their animal impulses above all moral values and all discipline.) But if we are not, it is *not* "because we still do share certain values with them." It is because the Liberals, who consciously reject these values, are still living on inherited moral capital, so that, happily, their actions often do not rigorously follow the logic of their beliefs.

Indeed, it is primarily this lack of rigorous consistency which distinguishes the Liberals from the Communists, with whom we *are* in a state of war. But in principle, contemporary collectivist Liberalism and Communism are forms of the same revolutionary movement, the movement Eric Voegelin calls "gnosticism." Like Communism, Liberalism denies the validity of absolute moral value, whether arrived at prescriptively or rationally; it rejects the spiritual bases upon which the unique being of the individual person is founded, and with that rejection it destroys the philosophical foundation without which a free society cannot exist; it applies to social and political reality the cramped and impious *ethos* of the social engineer, who with calculation and power would dam and confine the free rhythms of human life and the designs of God.

Radically Opposed Beliefs

All Liberals may not be "of one mind on *everything*"; but to *be* a Liberal is to hold these basic beliefs —and a considerable number of corollary beliefs that arise from them. Conservatives may not, in all particulars, have "a developed and identifiable position"; but if conservatism means the preservation and renewal of the essentials of civilization, all conservatives share beliefs which stand in radical opposition to these. Against the relativism of Liberalism, they vindicate the absolute validity of truth and value; against statism and collectivism, they base their politics upon the person; against the social engineer, they defend the free play of life and reason, guided by tradition.

These are radically opposed visions of the human condition. They shar no fundamental values in common.] it is possible—and I agree that it is- to "proceed with the objective c driving wedges into the ranks c Liberals," it cannot be done by ap pealing to the values they hold a *Liberals,* but only by a merciles attack upon those values and a de fiant championship of the age-old an ever-new values for which we stanc Since Liberals, unlike Communist: are *not consistently monolithic* i their outlook; since they retain, be low the level of their conscious be liefs, sentiments and attitudes derive from their tradition and their up bringing, such an approach can b successful in recalling to their heri tage some Liberals, troubled by th aridity of the atmosphere the breathe. And this, I know from per sonal experience, NATIONAL REVIEV has begun to do.

The Role of Conservatives

More important, however, thai driving wedges into the ranks of th Liberals is to consolidate, to instruct and to hearten a growing conserva tive opposition; and this task woul become impossible if it were assume that discussion should proceed upo the basis of values of the Liberal which we putatively share. Such conservatism would be the journalis tic and intellectual equivalent o Modern Republicanism. Accepting th validity of the Liberal revolution o the past twenty-five years, it woul be possible at the best to act as drag upon the tempo of advance o the revolution—at the worst, an more likely, to assist it in establish ing prescriptive authority.

For, difficult though it is for con servatives to accept, we *have* live through a revolution in the pas twenty-five years, and our conserva tive loyalty to our civilization an the ancient truths it has so gloriously expressed requires, in revolutionary circumstances, the hard and uncon genial role of a radical opposition The positions of power are in fact i the hands of an Establishment im bued with doctrines essentially evi in their nature. There is no guarantee that those who hold those height can be won over or defeated, bu there is nothing in the political sphere worth doing but to make the attempt

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Warsaw—Soviet Lie Factory

The smug gullibility of Western correspondents and the wishful thinking of the Poles combine to make Warsaw an ideal center of Soviet "disinformation"

GEORGE KREMER

Retrospective analysis shows that the most sensational news received in the last two years on the USSR and the Soviet bloc has reached the West by way of Warsaw. Any information bearing a Warsaw dateline is regarded in the Free World as particularly reliable. Even that major document, the "top secret Khrushchev report to the Twentieth Party Congress" came to the State Department, it is said, *via* Warsaw. Western correspondents there seem to know all there is to know on political developments behind the Iron Curtain—Kremlin intrigues, secret conversations, private opinions of Communist leaders, even the secret plans of the Chinese Communists. On the other hand, the unhappy correspondents reporting from other Iron Curtain capitals seem to know nothing, either on China or on the doings of the local "people's democracy."

Under these circumstances one might expect the Polish people themselves to reveal exceptional knowledge and understanding of Communist affairs. Yet here we come upon a curious anomaly. Thousands of Polish citizens traveled to Western Europe in 1957 and 1958. Some were prominent officials in the Party and Government. Others were leaders in scientific, literary or artistic circles. Polish newspapermen were also among them. Few of these people had any information about the Soviet Union, Soviet politics, Communist intrigues or the projects of world Communism. They were often, indeed, even ignorant of matters which had been discussed in the Soviet press (it should be remembered that certain Soviet newspapers and periodicals may be more easily obtained in Paris and London than in Warsaw or even Moscow).

It is astounding, this situation in which Westerners in Warsaw are able to get fantastically detailed information about Soviet developments while Polish society remains in total ignorance. Warsaw news stories have undoubtedly contributed to the shaping of Western public opinion on Communism and the USSR, for they have been used extensively in Western newspapers and broadcasts. One may logically assume that information obtained *via* Warsaw has also inspired the thinking of political leaders in the Free World and may have influenced their policy toward Iron Curtain countries. The question, therefore, of the sources of this information is not to be lightly dismissed.

Investigation shows that these sources include President Zawadski's entourage, the "salon" of the actress Nina Andrycz (wife of Premier Cyrankiewicz), the Polish press club (*Foksal*), and the headquarters of the Progressive Catholic group. At one time, under Soviet Ambassador Ponomarenko (now stationed in India), the drawing rooms of the Soviet Embassy were also generous in supplying "reliable information" to Western correspondents. In fact, Ponomarenko, an official of some "experience," may be regarded as the person largely responsible for turning Warsaw into an "information center" on Communism and the Soviet bloc. The Warsaw circulation of Khrushchev's "secret report" was not accomplished without Ponomarenko's assistance. As a general rule, the Warsaw news stories given the greatest play are traceable to sources long known to have been in contact with Soviet security services.

Correspondents' Line

A study of their contents brings out some interesting points. *Unfailingly, their tone is favorable to Soviet interests.* Newspapermen are inclined to live in the present, and seldom cast a backward glance at their mistakes. Were the Western correspondents in Warsaw to read what they have reported over the past two years, they would be amazed to see that their stories have all followed a single political line. Generally speaking they were directed at impressing the following views upon the West:

— As an empire the Soviet Union has entered a period of insurmountable crisis.

— Since the death of Stalin constant internal strife has divided the Soviet Communist Party.

— Economic, social and political conflicts are rending the USSR, and the people's resistance to the Soviet regime is increasing.

— Serious discord exists between Moscow and Peiping and may result in a rift between the two countries.

— Satellite resistance to Moscow plays a decisive role in Soviet policies and obstructs Soviet expansion.

— Stalinism was a transitory development to which there can be no return.

— There are definite possibilities for the construction of Communism by means compatible with the interests and traditions of various peoples.

— Peaceful coexistence, suspension of the cold war, Western economic aid to the satellites and the demilitarization of Europe will weaken the USSR, limit its power of expansion, and promote the peaceful evolution of Soviet Communism toward democracy and liberalism.

There is a striking similarity between the line followed in the Warsaw stories of 1957-58 and the line of "information" which the USSR was spreading in Western Europe in 1924-36. In the period 1924-36 the "information" leaked to the West was intended to convince anti-Communist Europe that the USSR, torn by internal discord, presented no danger. Precisely as today, that information

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

was planned to convey the impression that by following a policy of peaceful coexistence and economic cooperation, by abandoning preparedness for war and expanding cultural contacts, the West would contribute to the gradual transformation of the Soviet regime into a democratic system. The purpose of this distorted picture was to gain time to build Communism without outside interference.

The best American, British, and French newspapermen of today fall into this Soviet trap. They think they can cope with the problem of Soviet "disinformation" by relying on their own intellect and professional training. It never enters their heads that the Soviet-inspired news stories they cable home are responsible for some of the defeats of the Free World in the battle against Communism.

Case in Point

A case of inspiration involving a story in the *New York Times* may serve to illustrate this point:

The Foreign Aid Bill was under debate in Washington, in the House of Representatives. House approval would permit allocation of funds to "neutralist" and "national Communist" countries. Evidence of the possibility that a Soviet satellite might drift away from Moscow could at the moment contribute to approval of the bill.

On May 13, the day before the House took up the bill, the *Times'* Warsaw correspondent cabled his paper that "the issue as the Poles see it is their right to develop a Polish form of socialism with some independence of the Soviet Union. Mr. Khrushchev could bring heavy economic pressure to bear on Poland. The Poles do not believe this would go beyond a slowdown in deliveries of raw materials and other economic measures. The resulting difficulties would be great but not unbearable."

The clear inference from this report was that the U.S. government should plan to have funds at its disposal in order to help Poland gain "some independence" from Moscow. The correspondent then pointed out that the Polish Communists were planning, upon Gomulka's return to Poland, to issue a communique supporting Tito in his "conflict" with the Kremlin. This could be interpreted by the reader as indicating a trend toward further "independence."

The Foreign Aid Bill was passed on May 14. Some hours later Gomulka issued a statement unequivocally supporting Moscow's stand against Yugoslavia.

Far be it from me to claim that there is no truth in any of the Warsaw news stories. Soviet-inspired material would carry no weight were it not founded on, or accompanied by accurate factual information. But when presented in a false light or used to cover lies and conceal data vital to a correct evaluation of political developments, truth becomes dangerous to the people who accept it.

Inspiration and misinformation have always been the most evil and complex weapons of political strategy. The Soviets have added an Oriental touch to these weapons and, by adapting them to the Leninist doctrine, have succeeded in achieving spectacular results.

The selection of Warsaw as a center of Soviet inspiration was not accidental. The Kremlin proved right in its estimate of Polish psychology. Poles have always shown an inclination for wishful thinking. In their desperate hatred of Russia and Communism and their faith in the supremacy of Western values, they were only too happy to confirm Soviet-inspired reports that an era of liberalization and freedom was under way and that Stalinism had gone never to return. They followed blindly the Soviet slogans that:

> Gomulkism in Poland is a victory for the Polish people over Moscow and integral Communism. It is Gomulka who expresses the will of the Polish people. Under Gomulka's leadership Poland, from a Soviet puppet, has shifted to a position of independence and has become a political, almost sovereign, entity.

The Poles are still unaware that they played a fatal role. They seek helplessly for some explanation of recent developments. They talk of Gomulka's "betrayal." None of them is willing to accept the fact that Gomulka, a thorough Leninist of the Stalinist school, had no intention of giving them freedom, but used "October" as a tactical maneuver in accordance with the teachings of his master. A friend once said to me: "Gomulka's success in 1956 and the peaceful disarmament of the Polish revolution may be considered as one of Moscow's major victories. In recent years the Soviet government has succeeded in crushing two Polish uprisings: one in 1944 when the Soviets used Hitler as their tool; the other in 1956 when Gomulka did the job, aided by the West."

In launching inspired news on victorious "Gomulkism" the Kremlin was following wide objectives. "Information" showing the Poles to be achieving freedom was intended to convey the impression that the crisis in the USSR and the breakdown of integral Communism were proceeding at a rapid pace. Information of this nature justified support of Tito by the Western governments, an affair from which Moscow gained far more than it lost. (An amusing point to be noted is that the Free World, in its childish delight at the illusory successes achieved by the pro-Tito policy of the West, carefully avoids adding up the debits.) The enthusiastic tone of the Warsaw news letters on "Gomulkism" may even have given birth to the idea that a break was possible between Moscow and Peking.

Warsaw is not the only disinformation center in the world. However, it occupiecs a vanguard position in this setup. Every leading newspaper in the Free World more or less often, depending on its interests, carries Warsaw headlines followed by information, "special" . . . "sensational," fantastically detailed and thoroughly inaccurate.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Letter from the Continent

E. v. KUEHNELT-LEDDIHN

Student Hands Across the Sea

Several organizations on both sides of the Atlantic are concerned with sending American students to Continental secondary schools and universities, and Continental students to American high schools, colleges and universities. As a frequent lecturer in the U.S. I have many opportunities to meet the European students in their temporary surroundings and again over here after their return.

The vast majority are delighted with American hospitality; they have a "grand time"; they make friends quickly in a country where friendliness forms part of good manners, unlike Europe where human relationships develop slowly. Yet on one point there is recurrent trouble which threatens to cancel all the advantages, to America, of the exchange. Here are some examples:

There is the young man of nineteen who went to a university in Europe for two years, is now in an American college, and implores me to use my (non-existent) influence to get him into a graduate school. A young woman of twenty is aghast because the professors call her by her first name and treat her like an overgrown child. There is—worst of all—the sixteen-year-old French *lycéen* in a high school where after picking some subjects at random, he has a wonderful time and develops contempt for intellectual America which he does not even try to conceal. These young men and women (they're not "boys and girls" according to our nomenclature) get a completely wrong picture of America because they have been put into the wrong pigeonholes. American education is by no means as inferior as the post-Sputnik hysteria made Americans believe. Yet it is so radically different from Continental education that any attempt to put students from both sides of the Atlantic together simply according to age must result in a colossal intellectual waste and in dangerous misunderstandings.

In order to elucidate my point, let me give you a short and highly generalized sketch of Continental education. It begins with four years of elementary school. By the time a child is ten, his parents have to decide whether or not he is to embark on a professional career. If so, he is subjected to an entrance examination (which may even be competitive) and, when he has passed, is launched upon an educational process lasting from seven to nine years. Secondary schools, comprising high school and college, are of three basic types, scientific, semi-scientific, and classical, but permit practically no choice of subjects. Still, those following the classical curriculum have to study mathematics, chemistry and physics, and the "scientists" must learn literature, history, and two or three foreign languages. Finally, the baccalaureate examinations terminate these pretty joyless years of hard study and nervous strain, from which not more than 3 to 4 per cent of our youngsters emerge victorious—as against 35 per cent in American colleges. Of course, a glamorous adolescence of the American type is out. The idea underlying this sort of training and instruction is that life ought to start with the soup and not with the dessert.

This practically gratuitous "higher secondary education" is for an intellectual élite, subject to a continuous weeding-out process. Yet, while the system is intellectually "aristocratic," it is socially "democratic." The son of the worker and the daughter of the peasant sit next to the scions of the count and the university professor. These schools *make* social status, they do not *reflect* it.

The universities, on the other hand, are *graduate* schools where one studies theology, law, philosophy, medicine, or political science. (There are also polytechnic schools with university status.) A doctor's degree can be obtained at the age of twenty-two. Nor is the old tale true that the first two years of our universities correspond to the last two years of college. How could they, since the universities impart no "general education"?

Needless to say, alumni or alumnae associations do not exist in our universities, which are without exception coeducational. Neither are there football matches. Roll calls are unknown and the whole tone of the universities is coldly polite and impersonal. The professors do not "teach," they are not "educators" but scholars who allow the students to partake in the fruits of their studies. They *lecture*—and their lectures are public and free.

This may give some idea of the difficulties of the student exchange. The American authorities, eager to establish "good human contacts," place the foreigners who, naturally, have to overcome an initial language handicap, with their coevals. As soon as the Continental student has acquired a certain fluency in English he will have a very easy time; he will study very little and will automatically lose a year in his home school. The trouble is complete if he leaves the U.S. without realizing that he has been excluded from its best places of learning.

To make matters worse, he will return without having realized that American educational standards vary from place to place. On the Continent no doctor (or lawyer) would indicate the university which gave him his degree. All Continental universities have good and mediocre departments and chairs, and little does it matter where a professional man took his final examinations. In America, on the other hand, there is a social and intellectual abyss between the Ivy League universities and the little college in Podunk County. This the visiting European student usually does not realize; once he has been swallowed up by the little hick college or by a huge degree-factory, he wonders how America came to be a world leader in so many domains of human endeavor. He is a misplaced person and returns as an unreconstructed practitioner of Old World arrogance. For this wasteful comedy of errors and disservice to America's prestige the agencies and foundations arranging the exchanges are primarily to blame.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

From the Academy

RUSSELL KIRK

Alfred A. Knopf and Arthur Bestor, Jr., Fascists: With an Aside on the Gifted Child

In a large Michigan high school, not long ago, the principal somewhat reluctantly agreed to hold a faculty meeting to discuss the problems of the Gifted Child. There had been much about this question in the public press, especially in *Life;* and although the principal had avoided the issue, talking of "education for democracy," and "no privileges for an intellectual elite," he now felt compelled to yield a little ground.

A pretty teacher of English and modern dance took the announcement seriously. At my instigation, she had become a member of the Council for Basic Education; and she was pleased to find that one of the Council's bulletins was concerned with the Gifted Child. She posted a copy of this bulletin in a conspicuous place, thinking that other teachers might be interested in examining it before the meeting.

Beside her posted copy of the bulletin, there mysteriously appeared an unsigned, typewritten note: "The person who put up this pamphlet ought to know what sort of people she is associating with." My teacher replied with a note of her own: "What ought I to know?" There was no reply on the bulletin-board. But just before the scheduled faculty meeting a male member of the faculty, with whom she was imperfectly acquainted, furtively drew her aside and confessed that he had posted the enigmatic note. "You shouldn't have put up that bulletin of the Council for Basic Education," he said. "They're Fascists, you know."

My friend replied that she knew nothing of the sort. But even if they should be, she continued, she thought the bulletin would stand on its own merits, regardless of the political preferences of its authors.

"But they're Fascists," said her furtive well-wisher, "and Enemies of the Public Schools. If you associate with them, people will think you're a Fascist." On her proving obdurate, this gentleman and scholar crept away. I have no doubt he was hot against McCarthyism, guilt by association, and all that.

Now the founders of the Council on Basic Education are of various political persuasions; some are conservative, and some are Liberal, and some are radical. None, it happens, are or have been Fascists. This group's most energetic spokesman is Dr. Arthur Bestor, a redoubtable Liberal, writer on Utopian communities, and regular contributor to the *New Republic*. The present executive secretary is Mr. Alfred Knopf, publisher of many Liberal books and active over the years in many Liberal causes. This simon-pure record does not suffice to shield them from the smear-tactics of educationist zealots. The furtive teacher probably was simply repeating the smear passed on to him by grander folk in the educationist hierarchy.

One encounters the same ignorant or malicious accusation in many quarters. About two years ago, a labor-union paper in Detroit editorially denounced Arthur Bestor as a "reactionary" and an enemy of democratic education. A reader informed the editor, somewhat sardonically, that Professor Bestor happened to be accredited in the best Liberal and radical weeklies, and that the editor's denunciations only demonstrated the sad decay of radical journalism in our time. The union editor, however, was simply enunciating the official educational doctrines of the CIO. Mr. Walter Reuther has made John Dewey the official philosopher of the UAW, and prescribes a reverence for Dewey's immortal utterances more solemn even than the Papal endorsement of St. Thomas Aquinas. Mr. Brendan Sexton, educational director of the UAW, and a power with the Detroit school board, recently cried out in rage against a proposal to establish public schools for gifted children in Detroit. This would be undemocratic, he moaned, because children from middle-class families seem to be more intelligent than children from UAW families; therefore special schools would constitute class privilege. Officially, it appears, the UAW—as Winston Churchill said of the Socialist M.P.'s—is against brains.

Well, very slowly and painfully the high-school faculty meeting approached the dread problem of the Gifted Child. The principal showed some films first—none of which had aught to do with the Gifted Child. Then there was a lengthy symposium on the problem of visiting a new high-school building, nearly completed, in the vicinity. Who should organize the visiting-parties of teachers? And ought they to take out group insurance against possible falling bricks? Etc., etc.

At length my pretty teacher arose somewhat wrathy, and declared that she, for her part, had come to discuss the Gifted Child, not group insurance against falling bricks. There was an awkward hush. No ordinary teacher would have ventured thus to break in upon standard official business—surely no mere teacher of English. But my friend teaches modern dance too, and therefore is a power to be reckoned with; for good modern-dance teachers are scarce, and the public round this high school loves above all else the annual school carnival, which the teacher of modern dance directs. So, with sighs and mutters, the principal and his faculty got down to talking about the Gifted Child—in the ten or fifteen minutes which remained.

But nothing worth saying was said. The principal was against special recognition of allegedly superior talents; this would be undemocratic. "Don't we honor special talents in athletics?" asked my friend. This was brushed aside as irrelevant. Most of the teachers seemed to feel that they would have difficulty in recognizing a Gifted Child, let alone helping him. And my friend saw that they were correct, according to their lights. They themselves never had been Gifted Children; and for years they had been part of The System.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Whose Opinions on China?

RODNEY GILBERT

Suppose that a dozen of us, some radical, some "liberal" and some conservative, were asked to list 181 intelligent persons whom we should like to interview on some topic of current interest: wouldn't the makeup of our lists vary greatly in character? If each of us was given 500 names to choose from in the first place, wouldn't each of us begin by striking out a great many whom we considered too wrongheaded to bother with? And wouldn't each of us happily include a number of persons who were, from our particular points of view, sound and reasonable citizens? And then, if we brought in sets of prevailing opinions that did not jibe with one another at all, as we certainly should, of what value would the whole conglomeration of conflicting opinions be to anyone, if we all refused to tell whom we had chosen to interview?

These questions become pertinent, I think, to anyone who burrows through a big book which Mr. Harold R. Isaacs was commissioned by the Center for International Studies, MIT, to build around a series of 181 interviews. These were conducted over a period of fourteen months, mostly in 1955; and this 416-page opus (John Day, $6.75) is entitled *Scratches on our Minds*. Apart from the fact that this suggests unpleasant impressions only, as Mr. Isaacs certainly did not intend that it should, it is meaningless without the subtitle "American Images of China and India." Roughly, the questions asked were designed to reveal what intelligent Americans think or feel about the Chinese and the Indians and about our relations with them past and present.

According to his own account, Mr. Isaacs caught up with 181 persons who were or had been government officials or diplomats, military men, newspapermen, businessmen, educators, missionaries, and so on down to a few college students.

This is all very fine; and the results might have been not only interesting but of some importance, if a few essential conditions had been met, namely: if we were told all the questions that were asked each "interviewee"; if each such person were clearly identified; and if each one's answers to all the questions were quoted verbatim. But none of these conditions is met. The reader learns very little about the questions asked; and not a single person interviewed is actually identified. This gives the reader no chance at all to use his own judgment to appraise the worth of the opinions given. So, as an alleged study of supposedly competent (or at least intelligent) American opinion on Asiatic affairs, the book's finding that a far higher percentage of the "interviewees" admired, or at least liked, the Chinese and disliked the Indians than the other way round, is only mildly interesting.

As for the kind of persons whom Mr. Isaacs may have chosen to interview, we have only one clue. He confesses that he is politically "left of center, independent" and that, to the extent that he would go along with Chester Bowles rather than with Senator Knowland, he is a "liberal." That is probably of little importance when the author is asking how a man feels when he looks over an Indian or a Chinese crowd; but when he reports a consensus of opinion in a group of his choosing, on personalities or policies, one cannot escape the suspicion that that consensus is in line with Mr. Isaacs' own "left of center" thinking. In critical spots this makes the book worthless as a real "study" of the American attitude toward Asian problems.

As a compendium of essays by Mr. Isaacs, whose leanings we know, on American relations with the East and on changing American attitudes toward China (India being of little moment to most of us until very lately) it is interesting, scholarly and sound—down to the recent past. Yet many of Mr. Isaacs' long digressions seem to have little to do with his interviews; and there are times when his panel, as he calls the "interviewees" as a body, seems to be entirely forgotten. Actually, directly quoted testimony of "interviewees," condensations of majority and minority opinions and essential background explanations of their sentiments, would not have taken up more than fifty pages of the book. The rest is Mr. Isaacs on China and India—but largely China.

In his account of wartime and postwar events particularly, he rarely calls upon his "panel" for support. Accounts of situations are decidedly slanted and some omissions are conspicuous. The panel is called upon for opinions on Nehru, Gandhi and Krishna Menon, but not on Chiang Kai-shek, whom the author occasionally belittles on his own. In a discussion of anti-Chinese sentiment among Americans in Western China during the war, much overdone, General Joe Stilwell gets the favorable treatment (without reference to the panel) which was accorded him by the bitterly anti-Chiang Press Hostel in Chungking; but General Wedemeyer, who took over the Stilwell muddle and pulled the Chinese fighting forces together, becoming a staunch Chiang admirer, gets no mention in text or index. The panel is not consulted about Formosa, but Mr. Isaacs gives that island a few paragraphs so as to lead up to the mob attack on the Embassy last May. In his account of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the collapse of Nationalist resistance to the Reds Mr. Isaacs has plenty to say about corruption and ineptitude, but nothing about the runaway inflation that ate the heart out of China. Neither is George Marshall quoted as saying that he had "disarmed Chiang with a stroke of the pen."

The panelists are not called upon to say much about Red China until almost the end, when their answer to what must have been the big question about American diplomatic recognition of the Mao regime (though the direct question is not quoted) is given as: ". . . some kind of normalization of relations with Communist China was going to be required." The author writes that 135 (75 per cent) individually expressed that belief. If that many did actually pussyfoot to that extent on one of the most important questions about Asia before this country, one cannot have a very high opinion of the gentry whom Mr. Isaacs chose to interview—whoever they were.

Present-Day Court Historians

MURRAY N. ROTHBARD

THE Court Historian functions today in many areas: in particular, in the history of social thought. Here his task is to go back in time, especially in the history of his own country, and find precursors of the ruling tone of his age in the great men of the past. In the 1940's, for example, he found analogues of the hero Franklin D. Roosevelt in other "strong" Presidents, and we were treated to the absurd image of Andrew Jackson as forerunner of F.D.R., battling valiantly for the "little man" against the wilful agents of monopoly capital. Nowadays, images of battle and class struggle are obsolete. The Left has won secure power as an Establishment, and hence today's task is to integrate everyone into a gray, treacly mass of complacent, middle-of-the-road socialism.

In this Era of Eisenhower, it is not enough that we are all (polite and moderate) socialists now; every leading thinker of the American *past* must also be fitted into the same mold. The important thing is to leave any potential "extremist" (whether of Right or Left) without any foothold or inspiration in the past, without any rallying-point against the present powers-that-be.

Of all the famous Americans of the past, Henry Thoreau and Thorstein Veblen are among the least fitted for such homogenizing. Both were lone and rather anarchic rebels against practically all aspects of the society of their times. Both were cranky and cantankerous. Yet it was inevitable that scholars should rise to the challenge they present, and try to integrate them into the conventional scheme of things.

Professor Lev E. Dobriansky, in his *Veblenism, A New Critique* (Public Affairs Press; $6.00) and Professor Leo Stoller, in *After Walden,* (Stanford, $4.00) are both aided in their tasks by abysmal style and poor organization. The thicket and tangled underbrush of their respective styles succeed, as much as their conscious intention, in eroding the rough edges of their subjects. It is one way, at least, of making Veblen and Thoreau as dull and torpid as Arthur Larson.

THERE ARE two types of rebels against Establishments: the positive man who rests his dissent on a firm foundation of justice and moral principle, and the nihilist who is simply expressing his hatred of himself and of everyone else. In short, the hero and the hipster. Modern thought, having discarded moral principle, cannot distinguish the two, and so must lump them together as "nonconformists." Veblen was the nihilist *par excellence;* he was profoundly anti-private-property and anti-mind, differing chiefly from Marx in being pessimistic, and hostile to all systematic thought. Veblen hoped for a seizure of power by a "soviet of engineers," but was too cynical to expect the great event. Thoreau was also a nihilist in part: his retreat to Walden was less a love of nature tha a hatred of private enterprise, th market economy, and civilization it self. But while hardly a systemat thinker, Thoreau had a saving in dividualism which he expressed i some of the finest indictments statism on record.

How to tame these rebels? Stolle tries desperately to prove that afte returning to Walden, Thoreau reall became reconciled to industrialis *and* to statist intervention. Yet a fe lines in praise of a factory or steam whistle is poor evidence for any fun damental shift in view, and Thoreau support of John Brown's raid doe *not* mean a changing attitude towar political action: for Brown's was voluntary band and not itself th product of coercion. And sinc Thoreau was in his final illness b the time the Civil War began, hint that he supported the war cannot b taken as conclusive evidence of basic political change at heart.

DOBRIANSKY'S "critique" of Vebler is, in reality, a tortured attempt t salvage some of Veblenism, and brin it partly within the pale of accepte thought. Since Dobriansky is a Catho lic the task is all the more difficul but he eases it by grafting ont Thomism the alleged "operationalism of St. Augustine. With Augustine con veniently ticketed as a forerunner o John Dewey, Dobriansky is able t smuggle Veblen into an incredibl eclectic world-view, in which literal ly everyone, whatever his positio has *something* to offer. Veblen, i appears, is not "really" a socialist his proposed technocratic dictatorshi is in some way a shade more "or ganic" than socialism.

The charge that *laissez-faire* capi talism somehow rudely violates th "organic" nature of man has bee raised ever since the Industrial Revo lution. It runs like a red threa through the writings of Thoreau, wit his view that the market breache the unity of the individual and hi work, and Marx, who attacked capi talism for "alienating" the labore from his work, and Veblen, wh charged that business enterprise crip pled the technicians' "instinct fo workmanship." It is about time tha we realize that 1) no one denies tha each person is an organism, 2) eac individual gains immeasurably mor

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

by working for a market than by eking out a living in some primitive swamp—and that this is precisely why men have developed the market; and 3) that "society" is *not* a living organism in any sense, but simply the label for an array of interactions and exchanges between individuals.

Theater

Salute to an Actor, Sir!

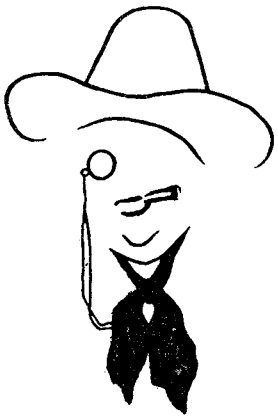
EDWARD LANGLEY

THE FIRST TIME I saw Charles Coburn, he was goosing a woman named Hutchinson . . . (stage biz, Mom, not a personal mannerism) during a performance of *Master of the Revels* by the late Don Marquis. The producing organization was the Mohawk Drama Festival (founded by Charles Coburn) and staged (under the supervision of Charles Coburn) outdoors on the campus of Union College, Schenectady, New York, in the year 1935. By an odd coincidence, Charles Coburn also happened to be the star of the company. Fitted out with a red wig, red beard and a monocle, he bounced all over the stage and said he was supposed to be Henry VIII.

By way of further statistics, I happen to have been in my early teens and *Master of the Revels* was my first glimpse of live professional actors. I thought Coburn was the funniest thing I'd ever encountered and walked out after the curtain call wondering why he hadn't been in movies. Mingling with the rest of the audience, I was puzzled to learn that not everyone shared my enthusiasm. Two men and a woman with a long neck (later identified as critics) were slicing him up into little pieces. The gist of their remarks being, "who the hell ever told him Henry VIII wore a monocle?"

Looking back, it is easy to sympathize with those critics. They had been led to believe that an actor's work was photographic and had come out to see a slick, modern production. Instead, they had been assaulted by a style of acting thought to have died with Booth and Richard Mansfield. Their reactions must have been like that of a man who finds he has been rabbit-punched by a skeleton. Had the same critical threesome returned for other Drama Festival productions, their sensibilities would have received even lustier belts. They would have seen not only Henry VIII in a monocle—but also that venerable rube, David Harum, sporting the same eyepiece . . . (plus *Orpheus in the Underworld* for entrance music). In time, they would have learned that Coburn plays every part with that thing in his eye—and that he has a hearty, magnificent disregard for the persnickety scrupulosity of the "realist" school of performers. Furthermore, they would have found him an old pro who knows exactly what people pay to see, namely: a show.

Every time this man walks on stage or passes in front of a camera, he sets the Actors' Studio and its "method" back at least ten years.



There is nothing "sincere" or "true" or "thoughtful" or "probing" about his performances nor is there anything average about his face. All of which must cause the Liberals great pain because so long as a merciful God lets Charlie Coburn stick around, it's going to be tough to sell the idea that mankind was fashioned by a Tool and Die Maker—or that "folks" need a big, strong government to prevent mass neurosis from turning them all into lemmings.

If these Coburn qualities are sensed, rather than observed and understood, part of the fault lies in the fact that almost nothing has been written about his highly original and intensely personal Drama Festival. Here was a series of productions different in every way from the standard pattern of summer theater fare. For instance, *Rip Van Winkle* (dead since Joe Jefferson passed away); *She Stoops to Conquer* (on the strawhat beat?); *Lysistrata* (no comment); finally, the above-mentioned *Master of the Revels*. These four in 1935. Bear in mind that the era 1935 to 1940 was the period of *Winterset* and other plays of social protest like *Waiting for Lefty* and *Bury the Dead*. The period of "parlor pinks" and the Popular Front; of pablum on the radio and hemlock in the arts. Hardly the time to break the news that Rip Van Winkle (with monocle) was coming to town—but Coburn did it. As Sam Goldwyn might have said, "Audiences should have stood away in large numbers." But they didn't. They warmed up to the corn, laughed in the right places and went out into the night convinced that the entertainment had been worth the price of admission. The clear, resonant voices of the old-timers, along with their unmatched energy and sense of style, stunned both friend and foe and left them with the impression of having watched some sort of cyclone. They had, in fact, been watching something far more important: conservative theater, if you will, in its last blaze of glory.

The Coburn school have never been mystified about audiences. Early in life, they learned to accept the paradox that—to be well loved—"you got to hit 'em between the eyes." In other words, that respect, admiration and affection are *commanded*—not mooched or panhandled. Ordinary people accept this proposition gratefully and without question. They like and respect authority. Not so the Liberal. He has been taught to distrust his feelings and to think that there is something medieval about authority. Watching a Coburn or a Laughton on stage, he feels the physical force of the performer's authority —he notes its effect on the people around him, and he rebels.

Bit by bit, over the years Liberals have succeeded in banning greatness and authority from the stage, but their surgery has been ineffectual.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Children, presumably sterilized in progressive schools, continue to snap to attention when the Coburn-type performer saunters on the television screen. The word gets around about Charles Laughton's job in *Witness for the Prosecution* and people who haven't been to movies in years begin lining up at the box office. But these are jewels—set few and far between in a rosary of lead—and most of us know that the end is in sight.

Charlie Coburn, as early as 1935, also knew that the end was in sight. Perhaps he alone could not rescue the royal theater from "the little people" who held it in bondage, but by Gad, sir, he could unlimber a few of the big guns just once more to blow the rats out of the rigging and to light up the sky with real fire! In so doing, he could advance his own career and maybe, just maybe, he could tear some kind of a hole in the enemy's smothering velvet curtains so as to let in a little sun and fresh air. When his Festival folded, his disappointment must have been acute—but there is no evidence of his having marched on Washington to demand federal aid. Instead, at the approximate age of 65, he watched the wreckage go down, screwed the monocle deep into his eye and stepped out onto a Hollywood sound stage to blast their mikes, walk all over everybody's lines and make lots of money.

According to a Sunday supplement feature story, the old gentleman is eighty this year and doing fine. They say he attends dances three times a week and is a member of a committee to abolish the income tax.

Out there in California, somebody is sure to give him a party in recognition of his sixty years in show business. When it comes off, gentlemen be sure to play *Orpheus in the Underworld* for his entrance music . . . and, if the toastmaster will make it a point to pay just a few words of tribute to the Mohawk Drama Festival, I am willing to bet ten dollars you are going to find, if you look close, the trace of a small tear forming up behind that damned monocle.

BOOKS IN BRIEF

THE GIRLS ON THE 10TH FLOOR, by Steve Allen (Holt, $3.00). Mr. Allen continues to surprise no one by being as engaging with a printed page as he is with an antenna. In these fifteen short stories, he imparts his peculiar ease to surprise anecdotes, religious parables and tart but compassionate glimpses of show business. My favorite was a gently meditative little lyric called "Joe Shulman is Dead," and it made me hope Mr. Allen will write his autobiography some day soon. For quite apart from what must be an extraordinary life on the outside, he seems to maintain a thoughtful, capacious and actively opening self on the inside—the sort from which we never get too many bulletins.

R. PHELPS

CHILD OF THE REVOLUTION, by Wolfgang Leonhard (Regnery, $6.50). One of the best books descriptive of Communist experience to appear in late years. Leonhard, son of German Communists, went through the mill of top Communist training in the Soviet Union, worked in the Communist Party in East Germany after the war, and later defected—at least, he broke with Soviet and East-German Communism, and acquired a semi-Titoist outlook. His story of his life in the Communist Party, particularly his description of the training process, can be highly recommended; his present opinions and judgments of it, particularly as presented in the last part of the book, should be read with circumspection. But then it takes a long time to break completely from Communism, and one looks forward with great interest to the book he is now reported to be writing.

F. S. MEYER

THE CHAINS OF FEAR, by N. Narokov (Regnery, $4.75). I read this book alongside Leonhard's *Child of the Revolution*, and came away with a judgment buttressed: most of what we know about Russia we have learned from her novelists. Leonhard's account of his life in the *apparat* picks at the edges. Narokov's novel, played out on the stage of the Great Purge, drives straight to the heart. It has always been so. The student of Alexander I's Russia should start with Tolstoy; of Nicholas I's, with Gogol. This book is written—and teaches—in the Great Tradition. There is only one thing to know about modern Russia, Narokov is saying, but it is everything. She is caught up in a rebellion against human nature. The spectacle is uglier than sodomy, and one, of course, that you must quickly forget. Otherwise, you can't stay on this side of the barricades.

L. B. BOZELL

You can order the books reviewed in this issue of National Review from the BOOKMAILER, the complete bookstore-by-mail service representing all U. S. publishers. THE BOOKMAILER pays the postage anywhere in the world. You pay only the bookstore price.

(No. of copies)

—— *Veblenism, A New Critique*, Dobriansky $6.00

—— *Child of the Revolution*, Leonhard $6.50

—— *The Chains of Fear*, Narokov $4.75

—— .....$
(Write in any other book ordered)

THE BOOKMAILER, Box 101, Murray Hill Station, New York 16, N.Y.

Please send the books checked above to:

Name .....

Street .....

City .....Zone .....State .....

Enclosed find: ..... (New York City residents add 3% tax)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

To the Editor

Soviet Revisionism

Eugene Lyons' article on the Soviet attack on "revisionism" [August 16] is at variance with Louis Budenz' recent column on the same subject.

Mr. Lyons considers the attack on "revisionism" as an admission of the "political ailments besetting the world Communist body: tides of revolt against Moscow's authority," while Mr. Budenz regards the attack on "revisionism" as an ominous warning to the West with its serious implication concerning the Soviet timetable of conquest. The attack on "revisionism" urges the strengthening of the revolutionary soul of Marxism and its teaching of the historical necessity of revolution and the dictatorship of the proletariat during the transition from capitalism to socialism—an important development since the peaceful coexistence theme.

I would be inclined to think Mr. Budenz' interpretation of the new directives to be correct.

St. Petersburg, Fla. MRS. R. A. BAURES

A Witness for the Witnesses

Re Editorial on Jehovah's Witnesses, August 16: These people have developed their views from a study of Hebrew Literature as far back in written history as is possible, not just the traditions and writings since the time of Christ.

As a physician looking at things in general from the sidelines, I feel that Power Politics and Power Religion which includes so-called organized Christianity have many things in common. Among the things I notice are: Debts for huge building programs with backbreaking interest to the moneylenders; paid leaders organizing big unnecessary projects; brainwashers leading people to want more than they can expect to buy with their own labor, passing the liability into a nebulous future; the little people footing the bill for brass at the top, democratically elected after being nominated by the brass's own nominating committee.

Is there any wonder in your mind when you see the rapid increase of a group of people like Jehovah's Witnesses, who have simplified the moral code and thrown out many of the frills of religion that have been unnecessarily brought in by leaders with an axe to grind?

Peru, Ind. JOHN B. BERKEBILE, M.D.

The Men from the Bosses

In "The Week" of August 16 you wrote of Mr. Knowland being "eager to take on *organized labor.*" If Knowland approximates Taft's success in such a contest, he will have separated the men who constitute the membership of organized labor from the big boys who run it. Why not aid in that separation by identifying it in name? Thus, Knowland could just as well be "eager to take on the union bosses."

RICHARD J. KULASAVAGE, M.D.
Portland, Ore.

Rights and Duties: A Debate

In his discussion of "Rights and 'Rights'" [August 2] Mr. Meyer, with many affirmations—some of which seem inconsistent with some others—regarding the origin and the nature of the "true rights of men" and the "duties of human beings" takes issue with those who "proclaim the doctrine: no rights without corresponding duties."

At no point, however, does he state or ask what those who "proclaim" that "doctrine" mean. But the formula "no rights without corresponding duties" can mean either or both of two things: it can mean a) that there can be no right, either natural or man-given, without there being in relation to it a duty; and it can mean b) that possession by anyone of any right creates for and imposes upon the possessor a corresponding duty.

Either way, Mr. Meyer denies the validity of the proposition: he contends that rights can and do exist independently of duties, and vice versa.

Contra, and limiting the discussion to natural or Divinely-conferred rights, suppose that we look at just one of such, the right to life. That right is declared and assumed to have been conferred on all human beings by Nature of the Creator with no mention of or specification of a corresponding duty. But, if all men—each and every—have a right to life, does not possession of that right by all render it a duty of each to show respect for the right of each and every other possessor thereof? In brief, granted the common right, is there not implicit within or with it, for each and every possessor a corresponding duty—toward all? (What may come of or be consequent upon neglect or disregard of that duty is another question, discussion or disposal of which is not essential to a defense of a contention that wherever there exists a right there also exists—in some form and in some direction—a duty.)

Washington, D.C. STANLEY K. HORNBECK

If one is willing to accept dogmatic assertions in lieu of reasoned argument, then Mr. Meyer proves his point that rights are, and must remain, wholly independent of duties. But the inquiring mind is entitled to better fare.

Let us take as our premise Mr. Meyer's passing admission that "the duties that impinge upon human beings derive from the same moral law from which their rights derive." Since rights and duties are both dependent upon the same moral law, one would ordinarily expect them to be related to each other. The burden of proof is certainly upon one who asserts "the independent status of rights." I submit that Mr. Meyer wholly fails to sustain that burden.

Let us also, and wholeheartedly, agree with Mr. Meyer that it is unreasonable to "believe that society is a living organism endowed with a soul." But why, oh why, is it "to talk nonsense" to give any other definition to society and yet "to defend as an axiom of political theory the proposition: no rights without corresponding duties"? Mr. Meyer gives us nothing but the bald assertion. He says: "No man, no group of men, no state, can give as an excuse for depriving an individual person of his inherent rights, that he has failed to perform a duty."

What does this leave as the moral basis of the statutory law by which men seek to maintain order in so-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CLASSIFIED

NATIONAL REVIEW *accepts classified advertisements for personal services, items wanted or for sale, jobs sought or available, houses or apartments for sale or rent, and miscellaneous subjects of a comparable nature.* NATIONAL REVIEW *reserves the right to reject any copy deemed unsuitable. Rates per insertion: 40¢ per word, minimum 10 words; 30¢ per word for 25 or more insertions per year. If a box number is desired, count two extra words. Text, accompanied by full payment in the form of cash, check or money order, must be received 17 days before publication date. All responses to box numbers will be forwarded and postage billed periodically. Mail to be called for at* NATIONAL REVIEW *will be held 60 days only. Address: Classified Dept.,* NATIONAL REVIEW, *211 East 37th Street, New York 16, N.Y.*

ALMOST-COMPLETE files National Review and old Freeman. Make offer. Box 72.

78 R.P.M. RECORDINGS, 1902-50. Free lists. Libraries purchased. E. Hirschmann, P.O.B. 155, Verona, New Jersey.

LEARN WHILE ASLEEP! Exciting details free. Sleep-Learning Research Association, Box 24-NL, Olympia, Washington.

RECORDERS, LUTES, VIOLS, REBECS—send for catalog. Wayne Anderson, 545 W. 111th St., New York 25.

"HOW THE NLRB CAN STOP UNION VIOLENCE," by Sylvester Petro, Professor of Law, New York University. This important study reveals the failure of the NLRB to use its powers to stop the most universally abhorred and condemned union practice, physical violence. Straightforwardly and simply, Professor Petro in this short work examines the powers of the NLRB to stop violence, and finds them adequate, though unused. He tells what the NLRB could have done, and still may do, to stop the use of terror as a weapon. It should be read by everyone who is seeking answers to the problems of union power. 20 pages, price $1. Published and distributed by Labor Policy Association, Inc., 1624 Eye Street, N.W., Washington 6, D.C. Also, "How the NLRB Repealed Taft-Hartley," by Sylvester Petro. A meticulously documented study of the way the NLRB has nullified to a great degree the broad reforms which Congress intended to accomplish in enacting Taft-Hartley. 144 pages, price $2

COLLECTIVISM IN THE CHURCHES by Edgar C. Bundy, a shocking documented account of the left-wing political activities of the Federal-National-World Councils of Churches under a religious front. 354 pages. $5.00 per copy. Write Church League of America, 1407 Hill Avenue, Wheaton, Illinois.

ADVERTISING AGENCY. Personal service to accounts with growth potential. JOHN YEARGAIN, INC., 141 East 44th St., New York 17, N.Y., MUrray Hill 2-5663.

CONSERVATIVES IN THE KNOW depend on Margaret Cone Travel Service for trouble-free reservations, last minute vacation arrangements for trips to Brussels World Fair . . . or anywhere! Call or write: Margaret Cone Travel Service, 520 Fifth Avenue, New York, N.Y., OX 7-0796.

THE BEST OF KREUTTNER is now available! "Inside Liberalism," 25 hilarious cartoons by that master lampooner of Liberal double-talk, John D. Kreuttner. Only 60¢ (two for $1.00, 15 for $5.00). Write Dept. K, National Review, 211 East 37th St., New York 16, N.Y.

ciety? I doubt that Mr. Meyer really believes in philosophical anarchy, which is what his words would seem to imply. . . .

In my book, the rejection of the moral duties by an individual involves his loss of the inherent rights. "He who lives by the sword shall perish by the sword." Under modern conditions, the executioner is necessarily the state. In this connection, the state is simply one of the ways by which men, acting in obedience to God, may enforce the imperative relationship between rights and duties laid down by the moral law.

Cazenovia, N.Y. THEODORE E. SIMONTON

So many serious questions are raised by the letters of Mr. Hornbeck and Mr. Simonton that a fully satisfactory answer would require a great deal more space than is here available. Let me, however, attempt to clarify my position:

1. A distinction must be made between rights and duties in the moral sphere and rights and duties in the legal-political sphere. The latter at the best will reflect the former imperfectly; at the worst they will be a gross caricature of them.

2. In the moral sphere, where the relationship is essentially one between each man and the Ground of his existence, "rights" have no meaning. No man, thinking morally, can be concerned with anything beyond what *he* ought to do—that is, with his duties. What others do to him is, *morally speaking*, not his concern but theirs.

3. But in the political-legal sphere, which is concerned with the establishment of the conditions of civilized existence among imperfect men, the duty of every man towards his fellow men requires first of all the recognition of their innate and unassailable value as created beings. The rights of men to life, liberty and property derive from this essential aspect of their being. To respect them is the first duty of every man to every other man. These rights remain inviolable whether one man thinks another man has fulfilled his duties or not. The governing principle I would propose for the relations of human beings to each other, in opposition to "no rights without corresponding duties," is "the first duty of men is to respect the rights of other men." This is, I think, dry though it is, the legal-political analogy of "Love thy neighbor as thyself."

4. In the conditions of civil existence, it is necessary, because men abuse their rights and their power, and also because one man's rights sometimes clash with another man's rights, to establish the system of statutory law of which Mr. Simonton speaks. But this is of necessity a harsh and humanly imperfect expedient, whereby we solve the clash of rights with rights or the impingement of one man upon another man's rights. Its "moral basis" should not be the judgment that a given man has not fulfilled his duties, but rather that he has impinged upon another man's rights.

5. Otherwise, the Leviathan state, making itself judge of what is duty, can with moral righteousness deprive men of their rights if they do not fulfill the duties it regards as its due. And, as we see before our eyes, its concept of duty is a denial of every fundamental both of true rights and true duties.

Woodstock, N.Y. FRANK S. MEYER

THE JURY

(*Continued from page* 178)

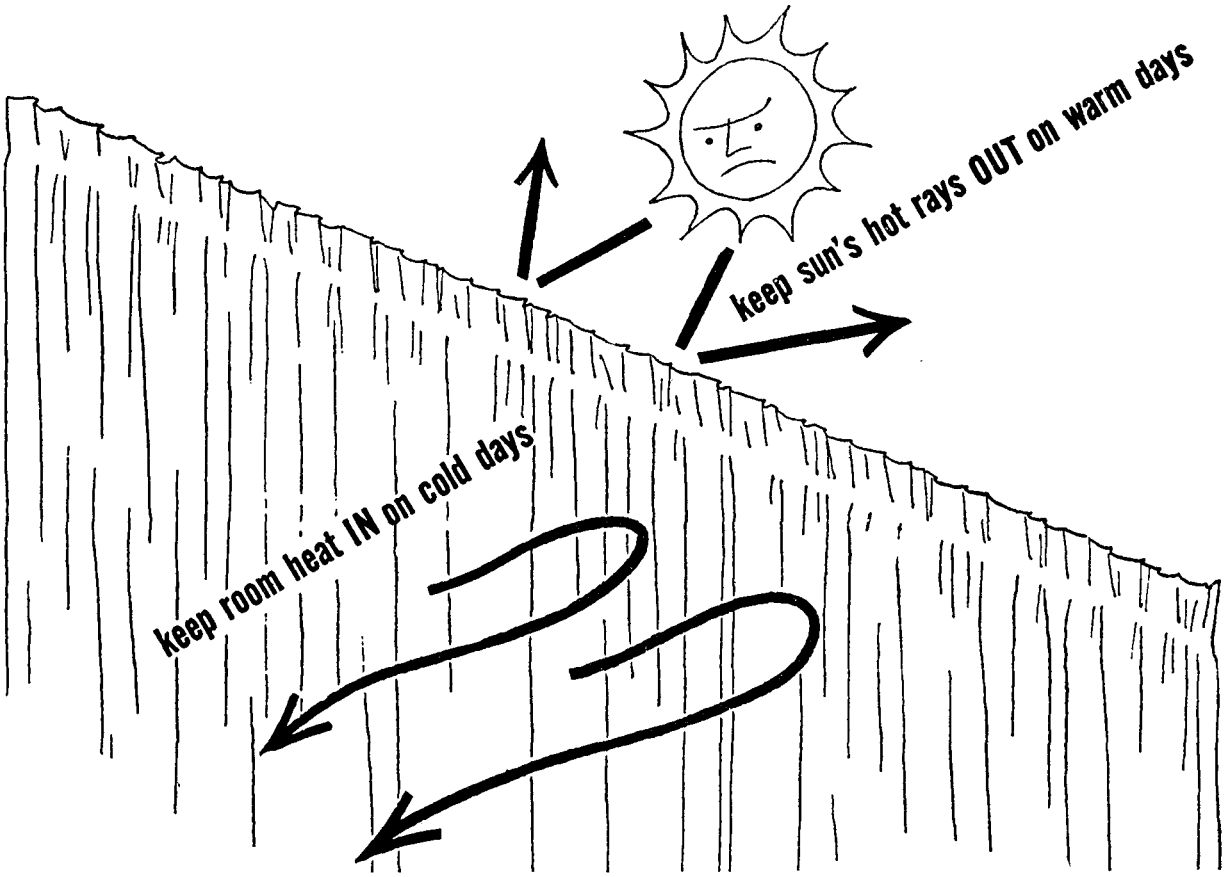
variation in the juries' awards than the individual jurors had indicated when interviewed separately. This would indicate that group deliberations tend to moderate any eccentricity in the judgment of the individual juror. The individual judge deciding a case alone has no such moderating influence.

One experimental presentation of a personal injury case, which had been used with thirty juries, was then given to some twenty trial and appellate judges. Their decisions coincided remarkably with those of the juries, differing by less than 10 per cent.

To the average American it is always a consoling thought that if ever in legal trouble, he is entitled to the historic right of trial by jury. His willingness to serve as a juror for his fellow citizen, when called, will help keep that system of justice functioning. It is a sacrifice, certainly, but as it has been said, next to military service it is the noblest duty of citizenship he can perform.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

INSULATE while you DECORATE



with MILIUM® Insulated Fabrics for Draperies and Drapery Linings

At last, you can insulate your windows—the main area of heat LOSS in winter, heat RISE in summer. What's more you can decorate your windows at the same time. The use of Milium insulated draperies or drapery linings means—

BEAUTY . . . better draping qualities, greatly reduced drapery fading
ECONOMY . . . save on fuel costs, increase the life of your draperies
COMFORT . . . keeps the heat where you want it
CONVENIENCE . . . no need for seasonal drapery Changes
COLOR . . . available in wide range of colors

Milium insulated drapery linings...BY TEST*

- In cold weather, reduce room temperature loss by about 50%.
- In hot weather, reduce room temperature gain by about 50%.
- Virtually eliminate drapery fading.

*The above statements have been approved and authorized by the United States Testing Company.

Milium®
METAL-INSULATED DRAPERY FABRICS

Look for Milium Insulated Fabrics in all types of apparel for the entire family and in many other products for your home.

MILIUM DIVISION, Deering, Milliken & Co., Inc., 1045 Sixth Avenue, New York 18

®MILIUM is the registered trade-mark of Deering, Milliken & Co., Inc. for metal-insulated fabrics and for its service of metal-insulating fabrics.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Announcement

BEGINNING SEPTEMBER 27th

NATIONAL REVIEW WILL PUBLISH

EVERY WEEK OF THE YEAR

Odd Weeks: National Review Magazine
32 pages of news, features, books

Even Weeks: National Review Bulletin
8 pages of news—domestic, foreign and business

Watch for Further Announcements

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED